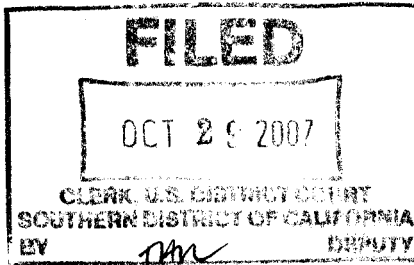


AUSC



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

Plaintiff,

v.

Roberto ARTEAGA-Maya

Defendant.

Magistrate Case No.: '07 MJ 8883

COMPLAINT FOR VIOLATION OF

21 U.S.C. § 952 and 960  
Importation of a Controlled  
Substance (Felony)


The undersigned complainant being duly sworn states:

That on or about October 27, 2007, within the Southern District of California, defendant Roberto ARTEAGA-Maya did knowingly and intentionally import approximately 108.94 kilograms (239.66 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

  
Timothy Ballard, Special Agent  
U. S. Immigration & Customs  
Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 29<sup>TH</sup>  
DAY OF OCTOBER 2007.

  
PETER C. LEWIS  
UNITED STATES MAGISTRATE JUDGE

# PROBABLE CAUSE STATEMENT

I, Special Agent Timothy Ballard with United States Immigration and Customs Enforcement, declare under penalty of perjury, the following is true and correct:

On October 27, 2007, at approximately 1115 hours, Roberto ARTEAGA-Maya, entered the United States from the Republic of Mexico at the Calexico West Port of Entry, California. ARTEAGA was the driver of 1980 MCI Crusader bus bearing Baja California, Mexico license plate number VWL8443. The Bus had no passengers. Customs and Border Protection Officers searched the vehicle and discovered thirteen (13) packages, which contained a green leafy substance. One of the packages field-tested positive for marijuana. The thirteen packages had a combined weight of 108.94 kilograms (239.66 lbs.) The marijuana was concealed within the gas tanks of the bus.

ARTEAGA was advised of his constitutional rights and agreed to answer questions. ARTEAGA denied knowledge of the drugs in the vehicle and said that he was paid \$300.00 US to drive the bus from Mexicali, Mexico to the San Diego International Airport to pick up a music band. He was told by the person who hired him to fill the bus with diesel gas before leaving Mexicali and then to fill it up again before heading over the mountains into San Diego. ARTEAGA filled the bus with diesel right before entering the United States and said he was planning on filling the gas tank again in Ocotillo, California. Ocotillo is approximately 32 miles from Calexico. ARTEAGA said he had been a professional bus driver for over 20 years and he presented agents with a valid bus driver's license.

Executed on October 28, 2007 at 1509 hours.

  
Special Agent

On the basis of the facts presented in the probable cause statement consisting of one page, I find probable cause to believe that the defendant, named in this probable cause statement committed the offense on October 27, 2007, in violation of Title 21, United States Code, Sections 952 and 960.

  
United States Magistrate Judge

10/28/07 6:00pm.  
Date/Time